

**BOARD AUTHORITY POLICY - SCHOOL BOARD PROTOCOL REGARDING  
COMPLAINTS & GRIEVANCES**

MHSD Board of Trustees finds it important to establish a **chain of command process** with ~~set of requirements for the community, staff for school district employees, for the membership of the MHEA, for school district students, and for other patrons.~~ **This protocol governs the process of the District regarding complaints, grievances, and** contacting and/or engaging individual school board ~~members trustees~~ **to avoid** ~~due to possible~~ violations of Idaho Code Title 74, Chapter 2 – Open Meeting Laws and **to comply with** ~~violation of the Office of the Attorney General’s Idaho Open Meeting Law Manual.~~ **The District wishes to avoid** ~~and thus causing a possible~~ recusal of ~~the individual school board~~ trustees **from board meetings when they gather in session to address issues of importance to the District** ~~regarding important school district matters including, but not limited to, school district business decisions, school district accounting and finances, school district policies, school district personnel matters, school district contracts, and agreements, school district student matters, etc.~~

The MHSD Board of Trustees has established that the **complainant/grievant** ~~Chain of Command~~ must start at the lowest possible level possible in the **Chain of Command** to **help** ~~try to~~ resolve any school district issues, complaints, actions, disciplines, etc.

1. 1<sup>st</sup> Level – ~~the person or persons whom~~ the complainant/grievant needs to contact the person or persons whom the complaint/grievance is about, ~~generally more than likely the a~~ teacher or coach. Should an issue not be resolved at the 1<sup>st</sup> level, the complainant/**grievant next needs to should** move to the 2<sup>nd</sup> Level.
2. 2<sup>nd</sup> Level – the complainant/grievant needs to contact the supervisor or department head of the person or persons whom the complaint/grievance is about. Should an issue not be resolved at the 2<sup>nd</sup> level, the complainant needs to move to the 3<sup>rd</sup> Level.
3. 3<sup>rd</sup> Level – the complainant/grievant should contact the building administrator. If the issue isn’t resolved at the 3<sup>rd</sup> level, the complainant needs to move to the 4<sup>th</sup> Level.

- 30 4. 4<sup>th</sup> Level – the complainant/grievant needs to contact the School District Superintendent. If the  
31 issue isn't resolved at the 4<sup>th</sup> level, the complainant/grievant should contact the Board Clerk  
32 and ask to be heard by the School Board of Trustees.
- 33 5. 5<sup>th</sup> Level – should the Board decide to hear the complaint or grievance; the Superintendent or  
34 Board Clerk will be directed to place the complainant/grievant on the next regular or special  
35 board meeting agenda. The complainant/grievant will be contacted of the date and time of the  
36 board meeting. The Board is not required to hear any complaints or grievances. The Board's  
37 decision is final.

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39 The Chain of Command must be followed at each level before the complaint moves to the next  
40 level, otherwise the complaint will be dismissed for failure to follow the Chain of Command.

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42 Additional MHSD Board of Trustees Chain of Command Protocol requirements are as follows:

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- 44 1. A community member, school employee, or a patron who has a complaint against a teacher for  
45 any reason needs to first contact the teacher to try to resolve the issue.
- 46 2. A community member, school employee, or a patron who has a complaint against a coach for  
47 any reason needs to first contact the coach to try to resolve the issue.
- 48 3. A community member, school employee, or a patron who has a complaint against a school  
49 district administrator for any reason needs to first contact the administrator to try to resolve the  
50 issue.
- 51 4. A school district employee including the MHEA and its officers and its membership may not  
52 contact individual trustees, they must contact the school board of trustees as a whole body by  
53 contacting the Clerk of the Board and requesting, preferably in writing, being placed on the  
54 next board agenda as a delegation no later than noon the Thursday before the regular board  
55 meeting regarding anything school district related.
- 56 • Should the perception be that the Chain of Command was violated, and the trustee was  
57 compromised by being contacted outside of a board meeting, that trustee must recuse  
58 him/herself from any further decisions on the matter in question.
- 59 5. All school district employees including the MHEA, its officers, and its membership must start  
60 at the lowest level of command to try to resolve any concerns regarding the school district.

- 61 • All school district employees including the MHEA, its officers, and its membership must  
62 submit to the building administrator, superintendent, or board clerk either the Certified  
63 Employee Grievance Form or the Classified Employee Grievance Form for their grievance  
64 to be heard.
- 65 6. Students must start at the lowest level possible to try to resolve any concerns or issues regarding  
66 the school district, and if necessary, file a Student Grievance Form with the building  
67 administrator, superintendent, or board clerk.
- 68 7. Patrons must start at the lowest level possible to try to resolve any concerns or issues regarding  
69 the school district, and if necessary, file a Patron Grievance as directed in the Patron Grievance  
70 Policy.

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72 The School Board of Trustees will direct either the Superintendent or Clerk to verify that the  
73 complainant/grievant met with someone at all the required levels prior to hearing the  
74 complainant/grievant. Any trustee who receives any information of any kind regarding the  
75 complaint prior to the board hearing must recuse him/herself from any further business regarding  
76 the complaint.



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80 **LEGAL REFERENCE:**

81 Idaho Code Sections

- 82 33-506 – Organization & Government of Board of Trustees
- 83 33-510 – Annual Meetings, Regular Meetings; Boards of Trustees
- 84 33-511 – Maintenance of Schools
- 85 33-512 – Governance of Schools
- 86 33-513 – Professional Personnel
- 87 33-701 – Fiscal Year – Payment & Accounting of Funds
- 88 Title 74 *et seq.* – Transparent and Ethical Government
- 89 Title 74, Chapter 1 *et seq.* – Public Records Act
- 90 Title 74, Chapter 2 *et seq.* – Open Meeting Laws

91 MHSD Grievance Policy – Certified Employees 476.30

- 92 MHSD Grievance Policy – Classified Employees 476.10
- 93 MHSD Student Grievance Policy 1012.10
- 94 MHSD Patron Grievance Policy 1012
- 95 Moore, Smith, Buxton & Turcke, Chtd. (Eberharter-Maki & Tappen. LLC) (212, 214, 215, 216,
- 96 226, 260, 262, 264, 266, 268, 270, 446)
- 97
- 98 **ADOPTED:**

Adopt